

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

JOHN F. RICHARDS,

Plaintiff,

v.

Civil Action No. 04-10291-RWZ

MASS. DEPT. OF CORRECTION,

Defendant.

ORDER ON APPLICATION TO
PROCEED WITHOUT PREPAYMENT OF FEES

Now before the Court is plaintiff's application to proceed without prepayment of fees and affidavit under 28 U.S.C. § 1915:

The application to proceed without prepayment of fees is:

G GRANTED.



DENIED for the following reason(s):

Plaintiff failed to submit a certified copy of his prison account statement, as required by 28 U.S.C. § 1915(a)(2). Accordingly, plaintiff's motion is denied without prejudice to plaintiff's ability to refile the motion along with a certified copy of his prison account statement within 42 (forty-two) days from the date of this Order. Failure to do so, or in the alternative to pay the \$150.00 filing fee, will result in dismissal of this action.

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The Clerk shall return the complaint to the undersigned for screening on the merits pursuant to 28 U.S.C. § 1915(e)(2) and summonses shall NOT issue pending the completion of screening on the merits.



The Clerk shall issue summonses and the United States Marshal shall serve a copy of the summons, complaint, and this order upon defendant(s) **Massachusetts Department of Correction, UMass Correctional Medical Services, Kathleen Dennehy, Commissioner, and Carol Mici, Acting Superintendent** as directed by plaintiff with all costs of service to be advanced by the United States. Since plaintiff seeks an order for adequate treatment of his injuries and it appears that only the state defendants can provide such, the court will not now order service on the private medical providers.

SO ORDERED.

3/2/04
DATE

s/ Rya W. Zobel
UNITED STATES DISTRICT JUDGE